

UNITED STATES DISTRICT COURT

for the  
Southern District of Ohio

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Priority Mail Package Tracking Number 9505514461839219574567,  
postmarked August 7, 2019 addressed Staten Family 1310 DANner Ave.  
DAYTON OH. 45417 with a return address of MARKus Lewis 4326 LAurel  
CANYON #1 Studio City, CA. 91604.

Case No.

MICHAEL J. NEWMAN

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Package Tracking Number 9505514461839219574567

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

Code Section  
841 (a) (1), 843 (b) & 846

Offense Description  
Possession with intent to distribute a controlled substance  
Use of communication facility to commit felony  
Conspiracy to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector Rossiter

- ☒ Continued on the attached sheet.  
☐ Delayed notice \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me and signed in my presence.

Date: 8/9/19

City and state: Dayton, Ohio

Applicant's signature  
Joseph L. Rossiter, U. S. Postal Inspector  
Printed name and title  
Judge's signature  
Honorable Michael J. Newman  
United States Magistrate Judge  
Printed name and title

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
DAYTON, OHIO

STATE OF OHIO                     )  
  ) SS  
COUNTY OF MONTGOMERY )

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, JOSEPH ROSSITER, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector and have been since May 2016. I am presently assigned to the Cincinnati Field Office of the United States Postal Inspection Service, Pittsburgh Division, with investigative responsibility for southeast Indiana and southern Ohio. Part of my responsibility involves investigating the use of the United States Mail in the transportation of narcotics, other dangerous controlled substances, and financial proceeds from, or instrumentalities used in, the sale of such narcotics and controlled substances (hereinafter, "Drugs and/or Proceeds").

Based on my training and experience as a United States Postal Inspector, I have become aware that drug traffickers frequently use United States Priority Mail Express (overnight) or Priority Mail (2-3-day) to transport Drugs and/or Proceeds. Additionally, as a result of prior investigations and successful controlled-substance prosecutions involving the use of the United States Mail, I have learned of certain characteristics and/or circumstances indicating that a package may contain Drugs and/or Proceeds. These circumstances and/or characteristics include, but are not necessarily limited to, the following: the mailer uses different post offices on the same day to send packages, the return address is false or non-existent, the addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, the labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors are emanating from the package, and the listed address is located in an area of known or suspected drug activity.

On August 9, 2019, I intercepted a package (hereinafter, the "Package") at the Paul Laurence Dunbar Post Office in Dayton, OH. The Package is a Priority Mail Box, bearing tracking number 9505514461839219574567, postmarked August 7, 2019, with the following address information:

**Sender:** MARKus Lewis  
4326 LAurel CANyON #1  
Studio City, CA. 91604

**Addressee:** Staten Family  
1310 DANNer Ave.  
DAYTON OH. 45417

Through training and experience, I am aware that Southern California is a known drug source location.

I did a check in CLEAR of the addressee's information on the Package of Staten Family 1310 DANNER Ave. DAYTON OH. 45417. CLEAR is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to CLEAR, there is no "Staten" associated with 1310 Danner Ave, Dayton, OH 45417.

I also did a check in CLEAR of the sender's information on the Package of MARKus Lewis 4326 LAurel CANYON #1 Studio City, CA. 91604. According to CLEAR, there is no "Markus Lewis" associated with 4326 Laurel Canyon #1, Studio City, CA 91604.

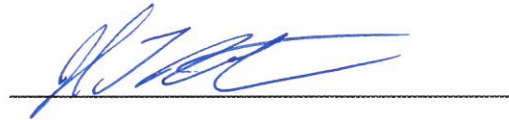
Later on August 9, 2019, at my request, Montgomery County Sherriff's Office Detective Anthony Hutson conducted a narcotics-detection canine check of the Package. I was present for the check. The Package was placed in a controlled area and presented to narcotics-detection canine, "Gunner." As set forth in the attached affidavit of Detective Hutson, "Gunner" alerted positively to the presence or odor of a narcotic or other controlled substance.



Based on my training and experience as a United States Postal Inspector, the Package's address information, including (i) absence of a known association between the sender and the return address, (ii) absence of a known association between the addressee and the recipient address, and (iii) the positive alert of the narcotics-detection canine are indicative of Drugs and/or Proceeds in the Package.

Therefore, a search warrant to open the Package is requested.

Further, your affiant sayeth naught.



Joseph L. Rossiter  
Postal Inspector

Subscribed and sworn to and before me this 9<sup>th</sup> day of August, 2019.



Honorable Michael J. Newman  
United States Magistrate Judge





UNITED STATES POSTAL INSPECTION SERVICE

PITTSBURGH DIVISION

OFFICER AFFIDAVIT

I, Officer **ANTHONY HUTSON**, am and have been employed by the **MONTGOMERY COUNTY SHERIFF'S OFFICE** since **1998**. Among other duties, I am currently the assigned handler of narcotics detection canine "**GUNNER**" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

**Marijuana, Cocaine, Methamphetamine, and Heroin**

On 8-5-19, at the request of Postal Inspector Rossiter, I responded to the

**DAYTON P&DC**, where "**GUNNER**" did alert to and indicate upon: [describe item]

9505 5144 6183 9219 5745 67  
MARKUS Lewis STATEN Family  
4326 LAUREL CANYON #1 1310 DANVER Ave,  
Studio City, CA. 91604 DAYTON OH. 45417

Which, based upon my training and experience and that of "**GUNNER**", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

Daguer 101 8-5-19  
(Signature, Badge #, and Date)

[Signature] 8/8/19  
(Witness/Date)